

Filters Used:

1 Tagged Record

Matter Report

Form Format

Date Printed: 11/19/2014

Time Printed: 3:50PM

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Mat Ref	Herinckx, Dale Robert and Donna Rae H	Code	Litigation
Matter No	14-02549 LegalDefr ISG	Staff	ISG,MPC,HLT,CAF
Plaintiff		Defendant	Standard Insurance Company
Claimant	Julianne Lisa Herinckx ConNo	Notify N Trigger N ReviewN Billable Y Private N Status Acti	
Company	Standard/SIC	Attorney	Michael Clark
Lit Status	Answer not yet due	Paralegal	Holly Truxal
Div/Dept		Legal Asst	Chris Fisher
Sub Type	General	Other Atty	
Open	11/19/2014	Outside Att	Andrew Altschul Buch
SSN/TIN	541-15-9331	Oppose Att	Terrance A. Hall Hall Law Firm
Claim No.		Policyowne	SolarWorld Industries America, Inc.
Claim Statu		Policy No	
Position		Tender'd By	
Decision Dt		Accepted	
Cimt Dece	Y	Is Co-Defer	
Claim File		ICPL Rein	
Memo :	11.18.14 Service of Summons and Complaint. -- Camille		

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON

DALE ROBERT HERINCKX and
DONNA RAE HERINCKX, as
Co-Personal Representatives for the
Estate of Julianne Lisa Herinckx, deceased,

Plaintiffs,

v.

PAUL SANELLE, TERLIN PATRICK,
and STANCORP FINANCIAL GROUP,
INC, dba STANDARD INSURANCE
COMPANY, an Oregon Corporation,

Defendants.

Case No. C14-6451CV


SUMMONS

TO: STANCORP FINANCIAL GROUP, INC.
dba Standard Insurance Company
c/o Holley Y. Franklin, Registered Agent
1100 SW 6th Avenue P12B
Portland, Oregon 97204

IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and defend the PLAINTIFFS' COMPLAINT filed against you in the above-entitled cause within thirty (30) days from the date of service of this Summons upon you. If you fail to appear and defend, Plaintiffs will apply to the court for the relief demanded in the Complaint.

NOTICE TO DEFENDANT: READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the Plaintiffs' attorney or, if the Plaintiffs do not have an attorney, proof of service upon the Plaintiffs.



Signature of Oregon Resident Attorney

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may contact the Oregon State Bar's Lawyer Referral Service online at www.oregonstatebar.org or by calling (503) 684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at (800) 452-7636.

Terrance A. Hall

Type or Print Name of Resident Attorney

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ATTORNEYS AT LAW
PO BOX 280
HILLSBORO, OREGON 97123
(503) 648-4255 | HLF@halllawfirm.com


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1 STATE OF OREGON, County of Washington) ss.

2 I, the undersigned attorney of record for the Plaintiffs, certify that the foregoing is an exact and complete
3 copy of the original Summons in the above entitled cause.

4 
Terrance A. Hall, Attorney for Plaintiffs

5 **TO THE OFFICER OR OTHER PERSON SERVICE THIS SUMMONS:** You are hereby directed to serve a
6 true copy of this Summons, together with a true copy of the PLAINTIFFS' COMPLAINT, upon Defendant Stancorp
7 Financial Group, Inc., and to make your proof of service upon a separate document.

8 
Terrance A. Hall, Attorney for Plaintiffs

9 Attorney for Plaintiffs: Terrance A. Hall
10 Attorney at Law
11 P. O. Box 280
12 Hillsboro, Oregon 97123
13 (503) 648-4255
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22

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of ATTORNEY FOR *ITs*

IN THE CIRCUIT COURT OF THE STATE OF OREGON
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COMPANY, an Oregon Corporation,

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Case No. C14-6451CV

PLAINTIFFS' COMPLAINT

Action for Wrongful Death;
Action for Establishing Equitable Lien
and/or Constructive Trust

Claim Not Subject to Mandatory Arbitration

JURY TRIAL DEMANDED

PRAYER AMOUNT: \$3,504,360

(Fee authority ORS 21.160(1)(d))

Plaintiffs allege as follows:

COUNT I

1.

Plaintiffs are the parents of Julianne Herinckx, (deceased) and the duly appointed co-personal representatives of their daughter's estate, Washington County Circuit Court case no. C140401PE. Julianne Herinckx, to the knowledge of her parents, died intestate on April 29, 2012, under the circumstances set forth herein. This action is brought by Plaintiffs pursuant to

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1 the provisions of ORS 30.020 and ORS 112.455–112.555 for the benefit of the decedent's estate
2 and others as enumerated in such statutes.

3 2.

4 On April 29, 2012 and all relevant times herein, the deceased, Julianne Herinckx, was
5 living with Defendants Paul Sanelle and Terlin Patrick in Washington County, Oregon. The
6 decedent had named Defendants Sanelle and Patrick as beneficiaries on a life insurance policy
7 through her place of employment and said policy was purchased from Defendant StanCorp
8 Financial Group, Inc., dba Standard Insurance Company, an Oregon Corporation licensed to do
9 business in the State of Oregon. At the time of her murder, the insurance policy with Standard
10 Insurance Company was in full force and effect and subject to the provisions of ORS 112.455-
11 112. 555, et seq., also called the Slayers Statutes.

12 3.

13 Previously, and on April 29, 2012, Defendant Paul Sanelle and Defendant Terlin Patrick
14 conspired with felonious intent, and together caused repeated and grievous wounds and injuries
15 to the decedent which were inflicted intentionally by Defendants Sanelle and Patrick and which
16 caused the death of Julianne Herinckx.

17 4.

18 The conduct of Defendants Paul Sanelle and Terlin Patrick was intentional, felonious
19 and conspiratorial for the purpose of collecting proceeds of Standard Insurance Company,
20 Group Policy 148508, for which Defendant Paul Sanelle has been previously convicted of the
21 crime of Murder. Defendant Terlin Patrick conspired with Defendant Paul Sanelle to stage
22 alleged episodes of mutual combat for the purposes of killing the decedent, Julianne Herinckx.

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1 5.

2 As a result of the felonious conspiracy of the Defendants, Paul Sanelle and Terlin
3 Patrick, the decedent Julianne Herinckx suffered serious physical injuries, conscious pain and
4 suffering, fear and mental anguish before her death, causing noneconomic damages to her estate
5 in the amount of \$750,000.

6 6.

7 As a further result of such actions of the Defendants, Paul Sanelle and Terlin Patrick,
8 Plaintiffs have suffered a loss of society, companionship and services of the decedent all to their
9 noneconomic damages in the amount of \$750,000 each.

10 7.

11 At the time of her death, the decedent was 26 years old, had a life expectancy of over 55
12 years, and a work life expectancy of over 40 years. As a further result of the actions of
13 Defendants, the Estate of Julianne Herinckx has suffered a pecuniary loss of \$1,119,360.

14 8.

15 As a further result of the actions of Defendants, the estate has incurred medical, funeral
16 and burial expenses for the estate of Julianne Herinckx, in the amount of \$15,000.

17 COUNT II

18 9.

19 Plaintiffs re-allege those paragraphs set forth above.

20 10.

21 The conspiracy of Defendants continued even after the brutal death of Julianne
22 Henrickx caused by Defendants, in an effort to escape responsibility and prosecution for the

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15.

This Court should establish an equitable lien and/or constructive trust in favor of the decedent's estate over all benefits and share of any beneficiary that would otherwise pass to a Defendant as a result of the death of Julianne Herinckx, which upon Plaintiffs' information and belief has a payout of \$120,000, and further declare that the Defendants have no interest in such assets, and/or otherwise provide such relief as the court deems just and equitable.

WHEREFORE, Plaintiffs Dale and Donna Herinckx pray for a judgment against the Defendants Paul Sanelle and Terlin Patrick, both individually and jointly as co-conspirators, in the amount of \$3,384,360 for economic and non-economic damages; and further prays for the establishment of an equitable lien and/or constructive trust in favor of the estate for all property, including the policy in the approximate amount of \$120,000, that would otherwise pass to Defendants, or any of them, by virtue of Standard Insurance Company; and further prays for their costs and disbursements incurred herein.

DATED this 12th November, 2014.

HALL LAW FIRM



Terrance A. Hall, OSB #731193
Of Attorneys for Plaintiffs

Trial Attorney:
Terrance A. Hall, OSB #731193

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ATTORNEYS AT LAW
PO BOX 280
HILLSBORO, OREGON 97123
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Page 7 of 9

HALL LAW FIRM
209 NE LINCOLN STREET, SUITE C
P.O. BOX 280
HILLSBORO, OREGON 97123-0280

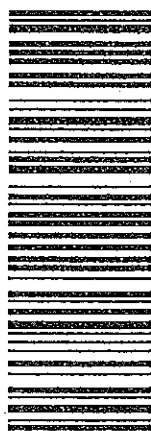
Corporate Legal

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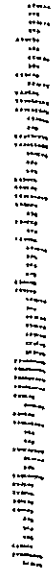
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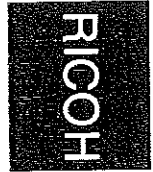
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dba Standard Insurance Company
c/o Holley Y. Franklin, Registered Agent
1100 SW 6th Avenue P12B
Portland, Oregon 97204

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